

Appl. No. 09/597,196
Amendment and/or Response
Reply to Office action of 21 April 2005

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REMARKS / DISCUSSION OF ISSUES

Claims 5, 7, 9, 10, and 12-25 are pending in the application. Claims 17-25 are newly added.

The specification is amended to better characterize a referenced patent.

Claims are amended for non-statutory reasons: to correct one or more informalities, and/or to replace European-style claim phraseology with American-style claim language. The claims are not narrowed in scope and no new matter is added.

The Office action rejects claims 5 and 14-16 under 35 U.S.C. 103(a) over Applicant's Admitted Prior Art (AAPA) and Li et al (USP 6,012,088, hereinafter Li). The applicant respectfully traverses this rejection.

MPEP 2142 states:

"To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) *must teach or suggest all the claim limitations*. ... If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness."

Claim 5 claims an appliance that includes a receiver that receives a device identifier from a communications device, and a network interface that connects to a relay server corresponding to the device identifier.

The Office action acknowledges that the AAPA does not teach a relay server; thus, the AAPA cannot be said to teach receiving a device identifier from a communications device that corresponds to a relay server.

The Office action asserts that Li teaches a relay server corresponding to the device identifier. The applicant respectfully disagrees with this assertion. The Office action cites FIG. 8, column 3, lines 25-38, column 11, lines 17-26, column 12, lines 38-53, column 12, line 66 through column 13, line 3, and column 13, lines 11-17 and 30-35 of Li for this teaching. However, the applicant respectfully notes that this cited text fails to teach a device identifier, and thus cannot be said to teach a relay server corresponding to such a (non-existent) device identifier. In the cited text, Li repeatedly teaches that the user provides a registration ID that is used to determine

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an IP address of a server. This registration ID does not correspond to a device, and thus cannot be said to be a device identifier. Because Li fails to teach a device identifier, the applicant respectfully maintains that Li cannot be said to teach a receiver that receives this non-existent device identifier from a communications device, nor a network interface that connects to a relay server corresponding to this non-existent device identifier.

Because neither AAPA nor Li teach a receiver that receives a device identifier from a communications device, and a network interface that connects to a relay server corresponding to the device identifier, as specifically claimed in claim 5, the applicant respectfully maintains that the rejection of claim 5 under 35 U.S.C. 103(a) over AAPA and Li is unfounded for failing to teach all the claim limitations, per MPEP 2142.

Claim 14, upon which claims 15-16 depend, claims a method of controlling an appliance that includes receiving an address of a relay server from a remote device.

As noted above, the Office action acknowledges that AAPA does not teach a relay server, and thus cannot be said to include receiving an address of a relay server from a remote device. As also noted above, Li teaches a manual entry of a registration ID, from which an address of a server can be determined. Li fails to teach receiving an address of a relay server from a remote device.

Because neither AAPA nor Li teach receiving an address of a relay server from a remote device, as specifically claimed in claim 14, the applicant respectfully maintains that the rejection of claims 14-16 under 35 U.S.C. 103(a) over AAPA and Li is unfounded for failing to teach all the claim limitations, per MPEP 2142.

The Office action rejects claims 7, 9, 10, 12, and 13 under 35 U.S.C. 103(a) over AAPA, Li, and Killian (USP 6,163,316).

Claim 9, upon which each of the other claims depends, claims a method of controlling the operation of an appliance that includes receiving, at the appliance, first and second access data from first and second remote devices, the access data

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providing network access to configuration data, including receiving relay data responsive to a network server identified in the access data and receiving profile data made accessible via the network access by the first relay data.

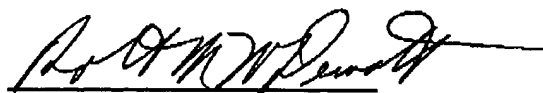
The Office action relies upon AAPA and Li for teaching receiving access data from a remote device, the access data providing network access to configuration data, including receiving relay data responsive to a network server identified in the access data and receiving profile data made accessible via the network access by the first relay data.

As noted above, neither AAPA nor Li teach a network server that is identified by data received from a remote device. Killian does not correct this deficiency.

Because neither AAPA, nor Li, nor Killian teach receiving access data from a remote device that identifies a network server, as specifically claimed in claim 9, the applicant respectfully maintains that the rejection of claims 7, 9, 10, 12, and 13 under 35 U.S.C. 103(a) over AAPA, Li, and Killian is unfounded for failing to teach all the claim limitations, per MPEP 2142.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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